

**DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT****24 CFR Part 883**

[Docket No. FR-4532-C-02]

RIN 2502-AH46

**Increased Distributions to Owners of  
Certain HUD-Assisted Multifamily  
Rental Projects; Correction**

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Final rule; technical correction.

**SUMMARY:** This document makes a technical amendment to the final rule that was published October 13, 2000 (65 FR 61072), which adds an exception to current limits on distributions to owners for HUD-assisted multifamily rental projects.

**EFFECTIVE DATE:** November 13, 2000.

**FOR FURTHER INFORMATION CONTACT:** Willie Spearmon, Director, Office of Housing Assistance and Grants Administration, Department of Housing and Urban Development, 451 7th St. SW., Washington DC 20410, 202-708-2866. (This not a toll-free number.) For hearing- and speech-impaired persons, these numbers may be accessed via TTY by calling the Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** On October 13, 2000 (65 FR 61072), HUD published a final rule adding an exception to current limits on distributions to owners for HUD-assisted multifamily rental projects. Two errors in part 883 of the final rule need correction.

Accordingly, FR Doc. 00-26247, Increased Distributions to Owners of Certain HUD-Assisted Multifamily Rental Projects, published in the **Federal Register** on October 13, 2000 (65 FR 61072), is corrected as follows:

1. On page 61075, first column, in instruction 11, correct part “881” to read “883”.

2. On page 61075, first column, correct the heading for “§ 883.205” to read “§ 883.306.”

**Camille E. Acevedo,**

*Associate General Counsel for Legislation and Regulations.*

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**DEPARTMENT OF JUSTICE****28 CFR Part 16**

[A.G. Order No. 2333-2000]

RIN 1105-AA76

**Access to Documents by Former  
Employees of the Department**

**AGENCY:** Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** This final rule establishes procedures under which former employees of the Department of Justice may request access to documents that they originated, reviewed, or signed while employees of the Department, for the purpose of responding to an official inquiry by a federal, state, or local government entity or professional licensing authority. The rule designates component heads and the Assistant Attorney General for Administration as the deciding officials.

**DATES:** This rule is effective November 15, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Stuart Frisch, General Counsel, or Evelyn Tang, Attorney-Advisor, Office of the General Counsel, Justice Management Division, U.S. Department of Justice, 1331 Pennsylvania Avenue NW., Suite 520N, (202) 514-3452.

**SUPPLEMENTARY INFORMATION:****A. Background***Whom Does This Rule Affect?*

This rule applies to former employees of the Department who, after they leave the Department, have a need for access to Department documents that they originated, reviewed, or signed while employed by the Department, for the purpose of responding to an official inquiry by a federal, state, or local government entity or professional licensing authority.

*What Does This Rule Do?*

A legitimate concern has been raised by current and former Department employees, that after they leave the Department, they may still be called upon to respond to official inquiries into their handling of matters at the Department. This is especially likely in the case of high-level employees. Without access to relevant documents to refresh their memories, it may be difficult to respond to such inquiries. To address this concern, this regulation establishes a procedure for former employees to request access to documents that they originated, reviewed, or signed while at the Department. As a general rule, former

employees will be provided access to the documents if they are responding to an official inquiry by a federal, state, or local government entity or professional licensing authority—for example, responding to a Congressional committee request, an investigation by an Inspector General, an investigation by a state or local law enforcement agency, or a disciplinary action by a bar association. The Department may deny or limit access where providing the requested access would be unduly burdensome. This rule does not create a right enforceable at law by a party against the United States.

*What Type of Documents Does the Rule Cover?*

The rule covers only documents that a former employee originated, reviewed, or signed while employed by the Department. Documents include memoranda, drafts, reports, notes, written communications, and documents stored electronically that are in the possession of the Department.

**B. Administrative Procedure Act**

This rule is a rule of agency organization, procedure, and practice; it is therefore exempt from the notice requirement of 5 U.S.C. 553(b) and is made effective upon issuance.

**C. Regulatory Flexibility Act**

The Attorney General, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this regulation and by approving it certifies that it will not have a significant economic impact on a substantial number of small entities. This rule merely establishes procedures under which former employees of the Department of Justice may, for the purpose of responding to an official inquiry, request access to documents they originated, reviewed, or signed while employed by the Department.

**D. Executive Order 12866**

This regulation has been drafted and reviewed in accordance with Executive Order 12866. The Department has determined that this rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

**E. Unfunded Mandates Reform Act of 1995**

This rule will not, in the aggregate, result in this expenditure by state, local, and tribal governments, or by the private sector, of \$100,000,000 or more